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21.2.2000

IN THE HIGH COURT OF KARNATAKA AT BANGALORE  
DATED THE 3RD DAY OF APRIL 1998

BEFORE  
THE HON'BLE MR. JUSTICE H. RANGAVITTALACHAR  
H.R.R.P. NO.577/1998

Balaji Enterprises  
No.234, Shanta Veeraiah  
Lane, Garudachar Complex  
Chickpet, Bangalore  
Rep. by Sri. V. Premraj Jain. ..PETITIONER.  
(By Sri. V.B. Shiva Kumar, Adv. for Petr.)

-Vs-

Bangalore Cloth Distributors,  
No.234, II Floor, Garudachar  
Complex, Chickpet,  
Bangalore-53, Rep. by its  
Proprietor, P. Ramaiah, S/o Devaiah. ..RESPONDENT.

\* \* \*

HRRP is filed U/s 115 of CPC against the  
Order dated 24.3.1998 passed in Misc.No.415/1997  
on the file of the Judge, Court of Small Causes,  
Bangalore.

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This HRRP coming on for ADMISSION this day,  
the Court made the following:-

ORDER

The application filed by the landlord  
under Order 18 Rule 17 seeking to summon the  
sales tax returns alleged to have been filed  
by the tenant was rejected rightly in my opinion  
by the Judge of the Small Causes on the ground  
that the burden of proving the facts that the  
tenant was carrying on the business is on the  
tenant and not on the landlord.

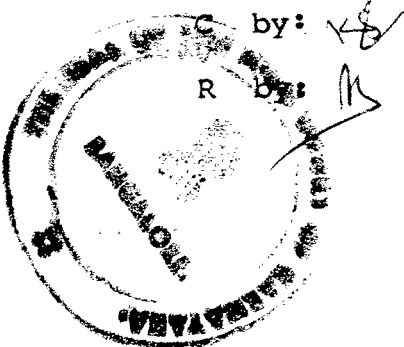
No grounds made out to interfere. Petition  
rejected.

It is open to the petitioner to make such  
application as is permissible in law to adduce  
such evidence as is required to prove his case.

sd/-

JUDGE.

Ty by: GM



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Assistant Registrar  
High Court of Karnataka  
Bangalore-560 001

21/6/98